



# **COTTONWOOD HEIGHTS**

## **PLANNING COMMISSION STAFF REPORT**

**DECEMBER 3, 2008**



## COTTONWOOD HEIGHTS PLANNING COMMISSION AGENDA

Notice is hereby given that the Cottonwood Heights Planning Commission will hold a **Regularly Scheduled Meeting** beginning at 7:00 p.m. on **Wednesday, December 3, 2008**, in the Cottonwood Heights City Council Chamber located at 1265 East Fort Union Blvd., Suite 250 (work session) and Suite 300 (business meeting), Cottonwood Heights, Utah.

**6:30 p.m. WORK SESSION (suite 250)**

**7:00 p.m. BUSINESS MEETING (suite 300)**

**1.0 WELCOME/ACKNOWLEDGEMENTS – Chairman**

**2.0 CITIZEN COMMENTS**

*(Please note: In order to be considerate of everyone attending the meeting and to more closely follow the published agenda times, public comments will be limited to three minutes per person per item. A spokesperson who has been asked by a group to summarize their concerns will be allowed five minutes to speak. Comments which cannot be made within these limits should be submitted in writing to the City Recorder prior to noon the day before the meeting)*

**3.0 PUBLIC HEARINGS**

**3.1** The Planning Commission will receive public comment on a request for a conditional use permit for a short term rental located at 3581 East Lone Brooke Lane, as requested by David Wilkes.

**4.0 ACTION ITEMS**

**4.1** The Planning Commission will receive public comment on a request for a zoning text amendment, as requested by Joshua Pettit. The applicant is proposed to add carwash facilities as a conditional use to the NC (Neighborhood Commercial Zone).

**4.2** The Planning Commission will discuss and take action on a staff proposal to commence a City initiated zone change from MU (Mixed Use) to R-1-6 (Single Family Residential) or R-2-8 (Duel Residential Family). This property is located at 7350 South Wasatch Blvd and is also known as Lot 2 of the Wasatch Gates Minor Subdivision.

**5.0 DISCUSSION ITEMS**

There are no discussion items on the agenda.

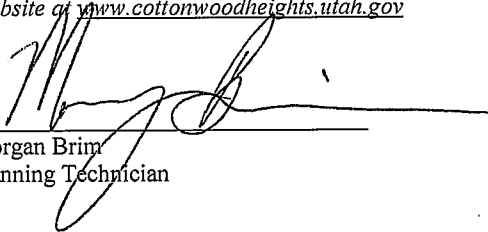
**6.0 PLANNING DIRECTOR'S REPORT**

**7.0 APPROVAL OF MINUTES**

**7.1** November 19, 2008

**8.0 ADJOURNMENT**

*On Wednesday, November 26, 2008, at 4:00 p.m. a copy of the foregoing notice was posted in conspicuous view in the front foyer of the Cottonwood Heights City Offices, Cottonwood Heights, Utah. A copy of this notice was faxed to the Salt Lake Tribune and Deseret News, newspapers of general circulation in the City by the Planning Department. A copy was also faxed or emailed to the Salt Lake County Council, Holladay City, Midvale City, Murray City, and Sandy City pursuant to Section 10-9-103.5 of the Utah Code. The agenda was also posted on the city internet website at [www.cottonwoodheights.utah.gov](http://www.cottonwoodheights.utah.gov)*

  
Morgan Brim  
Planning Technician



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## Item 2 – CITIZEN COMMENT

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**Issue:** \_\_\_\_\_

**Comments:**

**Issue:** \_\_\_\_\_

**Comments:**

**Issue:** \_\_\_\_\_

**Comments:**



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## **Item 3.1 Public Hearing: Conditional Use Request for a Short Term Rental – 3581 E. Lone Brook Lane**

|                       |   |
|-----------------------|---|
| File Name:            | 08-024 Short Term Rental - Conditional Use Permit |
| Application Received: | January 31, 2008                                  |
| Public Hearing Date:  | December 3, 2008                                  |
| Zoning:               | R-2-8   |
| Subdivision:          | The Oaks at Wasatch                               |
| Location:             | 3581 E. Lone                                      |
| Request:              | Conditional Use Permit for a Short Term Rental    |
| Owner/Applicant:      | David Wilkes                                      |
| Staff:                | Morgan Brim, Planning Technician                  |

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### **Purpose of Staff Report**

The ordinances adopted by the city of Cottonwood Heights (the “City”) require City staff to prepare a written report of findings concerning any conditional use permit request application for a Short Term Rental. This report provides preliminary information regarding the conditional use for a Short Term Rental being applied for by this applicant. Further information will be provided at the Planning Commission meeting through public testimony and oral reports. For reference, the review process applicable to this application is available in Title 19, Section (19.89) Short Term Rentals in the Cottonwood Heights Code of Ordinances.

### **Applicant’s Request**

The applicant is requesting a Conditional Use Permit for a Short Term Rental.

### **History of Application**

This application was received on January 31, 2008. Staff was unable to contact this applicant until the end of October 2008. This was due to staff turnover and remodeling of the applicant’s property.

### **Neighborhood/Public Position on the Request**

Staff had not received any comment with regard to the conditional use request.

**Staff Recommendation**

On November 11, 2008 staff inspected the applicant's property and finds that the requirements of Short Term Rentals 19.89 have been followed. Staff recommends approval of this application with the following condition:

1. That the approved short term rental property is required to maintain compliance with all sections and sub-sections of chapter 19.89 of the Cottonwood Heights Municipal Code and all other legal requirements and all other applicable laws.

**Staff Contact**

Morgan Brim Planning Technician

Phone: (801) 944-7065

Email: [mbrim@cottonwoodheights.utah.gov](mailto:mbrim@cottonwoodheights.utah.gov)

## Cottonwood Heights Planning Department

1265 East Fort Union Blvd. Ste. 250  
Cottonwood Heights, UT 84047  
Telephone 801-545-4154  
Fax 801-545-4150

### Memorandum

To: Cottonwood Heights Planning Commission

From: Michael A. Black, AICP – City Planning Director

Date: November 25, 2008

Subject: Discussion and Action on a Proposal by City Staff to Initiate a Zone Change on Property Located at approx. 7350 S. Wasatch Blvd.

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Most of the planning commission will remember the zone change at the Canyon Racquet Club where the property owner proposed a zone change from Regional Commercial to Mixed Use. The zone change was approved and the property (about 10 acres) is currently zoned Mixed Use.

Since the zone change, the owner of the property has decided to divide the property and sell one of the two new lots to a hotel developer. This is not news, as the original concept plan and the adopted master development plan show that the intention was always for a commercial or hotel use on the eastern side of the property. The western side of the property, in return, was always proposed to be residential to provide a buffer between the hotel or commercial use on the east and the residential properties that front Racquet Club Drive to the west of the Canyon Racquet Club.

With the proposed subdivision of the property, staff is concerned that the vision of the original conceptual plan where area residents receive a buffered land use as development moves west on the property toward the existing neighborhood could be lost. In order to protect and advance the land use characteristics which were so important in the original concept plan submitted by the developer in light of the proposed subdivision, staff is proposing a City initiated zone change on lot two of the proposed subdivision. Lot two comprises five acres of former Canyon Racquet Club property adjoining Racquet Club Drive.

The proposed zone change is to be either R-1-6 or R-2-8. Staff would like to present information at the meeting to help steer the planning commission toward a zone that will best accomplish the goals of the general plan.